

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WILLIAM STEVENSON,

Plaintiff,

-v-

LORRAINE PAGAN, PAROLE OFFICER
WALKER, and PAROLE OFFICER FISHER,

Defendants.
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: 05 Civ. 3656 (JSR) (MHD)
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ORDER

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC # DATE FILED: 8-14-06

JED S. RAKOFF, U.S.D.J.

On March 21, 2006, the Honorable Michael H. Dolinger, United States Magistrate Judge, issued a Report and Recommendation in the above-captioned matter recommending that defendants' motion to dismiss plaintiff's Complaint be granted.

Plaintiff has failed to file any objection to the Report and Recommendation, and, for that reason alone, has waived any right to review by this Court. See Thomas v. Arn, 474 U.S. 140, 147-48 (1985); Mario v. P & C Food Markets, Inc., 313 F.3d 758, 766 (2d Cir. 2002); Spence v. Superintendent, Great Meadow Corr. Facility, 219 F.3d 162, 174 (2d Cir. 2000).

Accordingly, the Court hereby adopts the Report and Recommendation, and, for the reasons therein, grants defendants' motion to dismiss the Complaint.¹ Clerk to enter judgment.

¹By letter dated March 30, 2006, plaintiff asked the Court to appoint counsel on his behalf. In a responding letter, the Court declined to do so, analogizing to Love v. McCray, 413 F.3d 192 (2d Cir. 2005). The Court here reconfirms that decision. This suit, which has not even withstood a motion to dismiss, is an inappropriate case for the discretionary appointment of counsel under 28 U.S.C. § 1915(e), see Cooper v. A. Sargenti Co., 877 F.2d 170, 172 (2d Cir. 1989) (per curiam); Hodge v. Police

SO ORDERED.



JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
August 13, 2006

Officers, 802 F.2d 58, 61-62 (2d Cir. 1986).